

TIERNEY IS GUILTY Of Murder in the Second Degree for the Killing of His Wife.

THE JUDGE DISMISSES THE JURY And Tries the Case Himself by the Right of an Ancient Act.

OTHER NEWS FROM AMONG THE COURTS

Wife murderers are not having an easy time in court. John Tierney yesterday pleaded guilty to the murder of his wife, Bridget, and was given a second degree verdict. Judge Ewing, who presided, dismissed the jury and determined the verdict himself. This procedure is a very unusual one, and is seldom resorted to in court. It is authorized by the act of April 22, 1794, a section of which reads: "But if such person shall be convicted by confessing, the Court shall proceed by the examination of witnesses to determine the degree of the crime and to give sentence accordingly." This section has never been repealed or altered. No case has been tried under it in Allegheny county since 10 years ago.

The murder of which Tierney has been convicted occurred July 21, at his home, No. 7 Ferry court, between Twenty-ninth and Thirtieth streets. He threw a lamp at his wife, who was burned so severely that on the following day she died at the West Penn Hospital. The defendant, it is said, was somewhat under the influence of liquor at the time and quarreled with his wife and threw the lamp. The morning session was chiefly occupied in securing a jury. A little testimony was taken. District Attorney Burleigh conducted the prosecution and Thomas M. Marshall, Jr., the defense.

THE DEAD WOMAN'S STORY.

In the afternoon Detective Sol Coulson testified to having had the dying deposition of Mrs. Tierney taken. The statement relates that at 11 o'clock on night July 21, the defendant came home. Nothing occurred to anger him. He picked up a lamp from the mantelpiece and threw it at his wife while she was going down stairs. This was placed in evidence and witnesses were called to testify to the arrest of Tierney and of the broken lamp glass being found in the room and on the stairway of the Tierney house. The morning session was chiefly occupied in securing a jury. A little testimony was taken. District Attorney Burleigh conducted the prosecution and Thomas M. Marshall, Jr., the defense.

PLEADS FOR HER BOY.

Mrs. Salmon Wants Possession of Her Nine-Year-Old Son. A hearing was had before Judge Kennedy yesterday in the habeas corpus proceedings brought by Mrs. Susan Salmon to obtain possession of her 9-year-old son. Mrs. Salmon and her husband, John B. Salmon, have separated, and a divorce suit is pending. He is a resident of the Southside and is employed in Jones & Laughlin's mill. She asserts that some time ago he took the boy away from her and put him in the St. Joseph's Orphan Asylum. Another son, older than this one, is in Morgantown. She claimed that the boy got drunk and abused and neglected his family, and that she provided for the boy until his father took him away. The boy has now been in the asylum nine months.

Salmon denied his wife's charges, and asserted that she was not a fit person to have charge of a child. He claimed she was not faithful, and produced several witnesses. They, however, could not testify to any acts of wrongdoing on the part of Mrs. Salmon. Judge Kennedy held the case under advisement.

Says He Was Falsely Arrested.

The jury is out in the case of M. W. Watson against Joseph Overy. The case is an action for damages for alleged false arrest. Overy had Watson arrested on a charge of receiving stolen goods. The articles claimed to have been stolen consisted of pieces of well plate. Watson was discharged and sued for damages.

Tardy Jurymen Lectured.

Three of the four jurors who were absent from Common Pleas No. 1 Tuesday appeared in court yesterday. They were lectured by Judge Stone and resumed their duties with the officer with the attachment for Jacob Friday returned the writ, with the statement that Mr. Friday had gone South.

Today's Trial Lists.

Common Pleas No. 1—Rolling vs Hiker; Lake vs Haywood et al.; Fisher vs Monongahela Connecting Railway Company; Hunter & Son vs Diaz; Clemenger et al vs H. H. Jones; Maloy vs Richardson; Kannofovs vs Carroll; McKay vs Trainor; Kammerer vs Hannu; Shepard vs Hensley; Hensley vs Hensley; Hensley vs Sullivan; Clay vs Carroll; Porter Boiler and Tank Company; Miller et al vs Miller & Jaceginski vs Citizen's Traction Company. Common Pleas No. 2—Kane vs Faulkner; Hamner vs Shonker; Donohoe vs Keshlitz; Miller vs Boehm; Wehner vs Beck; Walter & Rowlands vs Greissel; Mursch et al vs Moore; Hensley vs Hensley; Hensley vs Hensley; Cooper vs Hastings; Dane et ux vs Borough of Erie; Bailey vs Fowles et al; Dawson, Claude Coyle, Hugh Parker, W. H. Lovell, George Wilson, Alvin Anderson, John Hensley, George Hensley, John Hensley, David Matia, Hugh Canfield, Charles Keener, Mollie Lyons, Annie Schatzewitz, Elsie Dickson, James Epps et al, Charles Bushman, Alvin Lindsey, John Koscoff, Andrew Trainor, William Roodler, Thomas Hensley, Hensley vs Hensley, Hensley vs W. Finn, P. Brunoz, Joseph Denno, Tony Vevell, D. Silvage, William Pritchard, Chris Hensley, Lena B. Hensley, William Hensley, H. C. Crizer, F. Traska, Thomas Keegan, George Weston.

Minor Court Matters.

In the suit of Morris Raer against S. A. Cosgrave an action on a note, a verdict was given for \$3,218.75 for the plaintiff. The suit of W. C. Prosser against Fred Broderick for a note on a machine sold to the defendant, is on trial before Judge Slagle. In the suit of Diana James against Verona borough, to recover damages for injury to property, caused by grading, a verdict was given for the defendant. The suit of the Pacific Mutual Life Insurance Company against L. S. Clayton, to recover for alleged violation of contract, is still on trial before Judge Slagle. In the suit of Mrs. Julia Post against the West Penn Railroad Company for damages for injury to her property in Sharpburg, caused by water running into the cellar, a verdict was given for the defendant. In the suit of H. A. Weaver & Co. against T. A. Blackmore to recover commissions for the sale of real estate a verdict was given yesterday for the plaintiffs. Executions to the amount of \$2,128.39 were issued yesterday against Fred Press, Smithfield street saloon keeper. George H. Bennett & Bros. issued a writ for \$9,972 and C. F. H. Hensley issued a writ for \$9,972. The suit of George E. Corbett against G. A. Cochran, a contractor, is on trial before Judge White. Corbett is a messenger and on one his trips fell into an excavation and was severely injured. In the United States Circuit Court yesterday a suit in ejectment was entered by the Allegheny Valley Railroad Company against J. F. Reed and E. A. R. Clark, to obtain possession of a piece of land in Cleared county. WILLIAM BOST and wife and Valentine Bost and wife, doing business as Bost Bros., grocery and hardware dealers, No. 318 Eighth avenue, Homestead, yesterday made a voluntary assignment to William Sherwin, for the benefit of creditors.

WANTS A NEW TRUSTEE.

Mrs. Adelberta Killmeyer Says Her Property Has Been Mismanaged. Mrs. Adelberta Killmeyer yesterday filed a petition in the Orphans' Court for the removal of Jacob Mangold as trustee of the estate left by her father, Adam Mangold. Under her father's will Mrs. Killmeyer was given a life interest in one-half of a piece of property on O'Hara street, Allegheny. At her death it is to go to her children. Jacob Mangold was appointed trustee and directed to collect the rents and pay them over to her. She alleges that the trustee has been collecting the rents, but has never rendered an account, and that he is mismanaging the estate and using it for his own purposes. He has put a stable and carpenter shop on the property for his own use, denying her right to object and her title. He has neglected to pay the taxes for two years, is addicted to drink and has done no work for two years, and is likely to become insolvent. She believes he is using the rents for his own purposes. She asks that he be compelled to file an account, pay over what is due and that he be removed from his trust.

Didn't Pay Full Fare.

The suit of Stephen Slayton against the Baltimore and Ohio Railroad Company is on trial before Judge Stone. Slayton was a passenger on a train going from Homewood to Marion station. He had a dispute with the conductor about the fare and was ejected

THE M'DONALD FIELD. Gartland & Hays Get Another Good Well on the Miller Farm.

THE ELLIOTT FARM WELL SHOT, But Failed to Respond to the Action of the Nitro-Glycerine.

TWO WILDCAT WELLS REPORTED DRY

There were several interesting occurrences in the McDonald field yesterday. The No. 1 well of Gartland & Hays, on the Miller farm, was agitated and increased its production from 80 to 160 barrels an hour. Their No. 3, on the same farm, reached the fifth sand early yesterday morning, and is putting out 75 barrels an hour. Greenlee & Forst's big well on the Mevey farm has increased to 400 barrels a day. A 2 1/2 inch sissy, Murphy & Co. put a 120-quart shot into their No. 2 on the Elliott farm, but failed to improve it. It will be a small producer. W. P. Read's well at the Laurel Hill coal mines, about which there is a great deal of talk in the reports, is making by actual gauge 7 barrels an hour.

Records of the Wells.

MCDONALD.—The drill is on top of the fifth sand in W. P. Black & Co.'s No. 1 on the McCall lot. It is showing for a fair well. Their well on the Crooks lot is making 15 barrels an hour, and their George lot well 200 barrel a day. The well on the Springer lot is doing 100 barrels a day from the Gordon sand. On the Sauters lot, which is situated near the Nickel Plate coal dump, they are doing 120 barrels a day. The Jamison lot is pumping 150 barrels a day. They are drilling at 1,200 feet on the Charter lot, and at 700 feet on the Thomas four acres.

The Devonian Oil Company's No. 2, on the Fayall farm, at McDonald, is drilling in the Gordon sand, and will be in fifth sand early next week. Their No. 3 Fayall is drilling at 200 feet, and No. 4 is in the salt sand. They are still fishing at their No. 2 on the J. J. work in the fifth sand. It is located only 200 feet south of the big Mary Robb well. They are also fishing in their No. 1 on the Elliott farm, northeast of the Mary Robb. It is down to the Gordon sand. Their No. 2 Elliott is drilling at 1,300 feet.

Liggett & Haymaker were in the Gordon sand on the Toward lot yesterday and had shut down to make connections. It is 1,500 feet north east of the Cook lot well. Thompson, Haymaker and Liggett are doing 100 barrels a day. Their No. 2 is down 1,900 feet. Liggett & Haymaker are 1,850 feet deep on the Banpre lot. Their well on the Hoffman lot is 1,600 feet deep. It is in the eastern limits of McDonald borough. Their No. 1 well is 700 feet deep.

One Year Old Yesterday.

McCurdy.—It was a year ago yesterday that John M. Patterson struck the well which his wildcat well on the old McCurdy farm, and gave to the oil producing world the field which bears the name of the property on which his venture was located. Within the year thousands of acres of property have been punctured by the drill and hundreds of thousands of barrels of oil have been brought to the surface. The pioneer well of the field, the old McCurdy No. 1, is yet making 450 barrels a day. It is in the neighborhood of 100,000 barrels and Patterson & Jones producing wells in this field are their Nos. 1, 2, 3, 4, 5, 6 and 7. McCurdy Nos. 1 and 2 on the Lloyd farm; No. 1 on the Finch; No. 1 on the Adams; and No. 1 on the Harbison. They are drilling five wells at present. No. 1 on the Shaffer is 1,750 feet deep and in the 100-foot. No. 2 Shaffer well is cased through the salt sand to-day. No. 1 Kelo, is down 1,000 feet; No. 2, 1,200 feet, and No. 3, 1,000 feet. W. L. Mellon & Co. are down 1,000 feet in their No. 1, on the Mertz farm. Their No. 2, on the same farm, is down 1,100 feet and in the 100-foot. No. 3, Mertz, is cased at 1,100 feet yesterday. No. 4 is down 1,000 feet, and they are rigging up No. 5 on the Mertz. Mellon & Co.'s No. 2, on the Neely farm, is 1,300 feet deep. No. 1, owing to bad luck, is down only 500 feet. Their No. 3 is building for Nos. 3 and 4. No. 4 has been cased through the salt sand at 1,100 feet. No. 5 Neely is on top of the salt sand, and the rig is being built for No. 6. Sparks, Carter & Co. are drilling a well which will be cased through the salt sand to-day, and their well on the McHenry lot is down 1,200 feet. The latter is on the southwest corner of the John Moore farm, and the former on the south-west corner of the same property. The Devonian Oil Company is drilling two wells on the Boice farm. No. 1 is down 900 feet and No. 2, 500 feet.

The Forest Oil Company is doing an immense amount of work in the field. They are down 1,800 feet in their No. 1 on the J. W. Neely farm. No. 2 Shaffer is 1,900 feet deep. No. 2, 2,300 feet, No. 3, 3,100 feet, No. 4, 3,100 feet, No. 5, 1,300 feet, No. 6, 7,900 feet, No. 7, 8,400 feet. They are fishing for oil and they are spudding in their Nos. 10 and 11 on the Neely. Their No. 2, on the E. Wright, has reached a depth of 1,200 feet. They have abandoned their No. 1, on the J. N. C. well. No. 2 is still fishing on top of the fifth sand. No. 3 is down 1,000 feet. They are 1,850 feet deep in their No. 1, on the James Walker farm. No. 1 James McGregory is down 1,000 feet. No. 1, Margaret McGregory is drilling at 400 feet. James McGill No. 1 is 1,100 feet deep, and rigs were building for Nos. 2 and 3. The same is building a rig for No. 1 on the William McGill, and for No. 1 on the Camp farm, also on the Joseph Sturgeon and the Robert McClellan farms.

Back of Noblesstown.

The Forest Oil Company reached the Gordon sand in their No. 2 Herron yesterday. It is half a mile southwest of the Mathews. Their No. 3 Herron is down 1,300 feet; No. 4, 1,200 feet, and No. 5, 200 feet. Their No. 6 is drilling at 450 feet and a rig is building for No. 1, on the Etta Glenn, is 1,500 feet deep and No. 1 J. M. Glenn is down 1,100 feet.

They Found a Dust Pile.

MANSFIELD.—The wildcat venture of Calhoun, Patterson & Co. is dry. It is located on the Holmes farm, on Campbell's run, one mile west of Mansfield. It was drilled 2 o'clock yesterday afternoon and is 16 feet in the last sand and had not a showing of oil.

What the Wells Are Doing.

The production of the McDonald field has dropped off at least 1,000 barrels in the last 24 hours. The following is a correct hourly gauge of the big wells: Forst & Greenlee's No. 1 Mevey, 250; Guffey, Jennings, Murphy & Co.'s No. 1, Matthews, 225; their Bell No. 1, 95; Herron No. 1, 45; Baldwin No. 1, 125; Guffey, Murphy & Co.'s No. 1 Elliott, 125; Woodland Oil Company's No. 1 Gamble, 45; Guicker & Steele's No. 1 Mevey, 75; Gartland & Hays' No. 1 Miller, 20; W. P. Read's (Gas Company) No. 1 Mary Robb; Sauters' No. 3; Lecompe & Vallie's Short lot, 35; and the Wheeling Gas Company's Cook lot well, 20 barrels an hour.

Another Wildcat Well.

The Haymakers are ready to start to drill on the McDonald field, two-and-half miles southwest of McDonald. The well is 45 degree line from the northeast to the southwest which commences at the old Ebenezer well in McCurdy, the largest in that field, and passes through the Gamble, Mathews and Baldwin wells to the southwest. It will be a small producer. The McCurdy farm, a mile east of Primrose, which is making 80 barrels a day from the Gordon sand, is just 75 rods west of this well. A similar measurement. No fifth sand was found in the McCurdy well.

Work in an Old Field.

TURKEYFOOT.—This little field is not yet dead by any means. It might be said to be in a trance for the present. There is plenty of good territory that is sure to produce from 15 to 100 barrels a day, but the operators are

unwilling to drill at the present price of oil. The Devonian Oil Company is drilling a well on the Freshwater farm. It is only down a few hundred feet. The same company has one drilling on the corner of the 20th street, which they completed on the Warwick farm produces 20 barrels of oil every day.

Drilled a Dry Wildcat.

STREUBENVILLE.—The Haymaker Bros. have just completed a well seven miles southwest of this place and 2 1/2 miles south-west of Brilliant. It is dry. They got 45 barrels in the first sand, which was struck at a depth of 1,264 feet. They were induced to drill this well by the knowledge gained from the record of the well which was drilled on Rush in a couple of years ago by Underwood, Vandergriff & Co. In the latter well they got 50 feet of fine Berea grit and just a showing of oil. The Haymaker well was located 1 1/2 miles west of a northeast line from the Rush run well.

The Markets Yesterday.

The price opened 1 cent from the close of the previous day on information that the market for oil was steady and that 45 barrels an hour was subsequently shut down. The market rallied afterward on a moderate buying pressure, November closing 1/2 better than the opening, with a slight advance in the price of oil. November opened at 62 1/2, highest 63, lowest 61 1/2, closed 62 1/2. Refined at New York advanced to 63 1/2, steady and quiet. Gasoline advanced elsewhere. Daily average runs, 10,888; daily average shipments, 9,434. Petroleum Oct. 7.—National Transit certificates opened at 62 1/2; highest, 62 1/2; lowest, 61 1/2; closed, 62 1/2. Clearances, 128,883 barrels; clearances, 600,000 barrels.

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ALL ON FULL VALUE. Commissioner Mercer Demands Honest Assessment Methods.

HE WANTS THE TAXES EQUALIZED. No Reasons Now Exist Why County Valuations Should Differ.

SOME OF THE INEQUALITIES SHOWN

If the views held by County Commissioner Mercer and Chief Clerk Siebert and enunciated at the late convention of County Commissioners from all over the State were given the benefit of a practical test there is no doubt that county debts would soon be wiped out, and that many whose taxes are now a burden would find them lowered by equalization. It will require the hardest kind of work to secure men of sufficient standing, as well as honesty, to effect the reform, but that Assessors are essentially dishonest and sinners beyond all other men; but simply that they are human and like every other though it may not pay more than \$2 a day, and the assessed are not any more honest than they ought to be, and as long as their oil is not gored they will sit idly and see injustice done. The triennial assessment will be made in a few weeks and it is pertinent to call attention at this time to some glaring abuses that ought not to be allowed to be perpetrated. As Mr. Mercer said at the convention, it is not only necessary that County Commissioners should be honest, but also that they know their business and know when to send an assessor walking and force him to do honest work. It is also necessary that the Commissioners have the courage to force a sycophantic or dishonest assessor to do his work.

ASSESSMENTS ARE MISLEADING.

Mr. Mercer calls attention to a species of rascality in which there is at present no profit, and which seems to be maintained either through ignorance or apathy, and it is misleading to those who would like to form an approximate estimate of the land value of the State from assessment returns. Once the State laid out on real estate, and County Commissioners, in order to cheat the State, would direct the assessors to value land at one-third, one-half or two-thirds of its value. The cause of it was something like this: For instance, Allegheny County Commissioners would discover that Westmoreland and Adams had been assessed at but one-third of its value, while Allegheny county had been assessed at one-half. They would call the attention of the assessors to the fact that Allegheny county had been assessed at one-half more than its share of State tax. Accordingly, to get even, the next year Allegheny county valuations would be pulled down, and the aggregate pull would be much greater than in Westmoreland and Adams. The worst of it in this unchristian-like way the counties clawed at each other's throats. By and by, however, and a good many years ago, too, the State ceased to tax real estate, but still the partial valuation plan was followed and is still, and to many counties are assessed at one-third, one-half, two-thirds, three-fourths and at full rates. The old iniquitous system still exists in rudimentary form just as some unpaired parts of the human body, being made to pay more than their share of State tax. Accordingly, to get even, the next year Allegheny county valuations would be pulled down, and the aggregate pull would be much greater than in Westmoreland and Adams. The worst of it in this unchristian-like way the counties clawed at each other's throats. 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